

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

ORDER

S.B. CIVIL WRIT PETITION NO.7049/2006

(Anoop Singh Rathore Vs. The State of Raj. & Ors.)

Date of Order : : 07.08.2007

PRESENT

HON'BLE MR. KRISHAN KUMAR ACHARYA, J.

Mr.B.K.Vyas, for the petitioner.

Mrs.R.R.Kanwar, Addl. Government Advocate.

BY THE COURT:-

Heard learned counsel for the parties.

Learned counsel for the petitioner states that the post of Tax Assessor is a promotional post which is provided under the Rajasthan Municipal Service Rules, 1963. It is contended that the DPC was held on 14.9.2006 but the case of the petitioner was not considered because an enquiry under Rule 17 of the CCA Rules was pending against the petitioner. Thereafter, the petitioner was exonerated from the enquiry vide order dated 22.9.2006. The

Municipal Board, Sumerpur on 17.10.2006 passed resolution to send proposal of name of the petitioner for promotion on the post of Tax Assessor. It is next contended that the DPC meeting was fixed for 7.7.2007 but due to heavy rain, it was postponed and thereafter, it was convened on 24.7.2007 but the same could not be held. The only request of learned counsel for the petitioner is that the respondent No.2 may be directed to convene the DPC meeting at the earliest and consider the case of the petitioner for promotion on the post of Tax Assessor expeditiously.

Learned Additional Government Advocate does not controverted that DPC meeting was kept on 7.7.2007 and thereafter, it was kept on 24.7.2007.

Looking to all the facts and circumstances, this writ petition is disposed of with the directions that respondent No. 2 and 3 will convene the DPC meeting expeditiously and consider the case of the petitioner for promotion on the basis of Tax Assessor preferably within a period of two months.

(KRISHAN KUMAR ACHARYA), J.